

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

STABILITY TECHNOLOGY PARTNERS,  
LLC,

**Plaintiff**

V.  
AHERN RENTALS, INC.,

## Defendant

Case No.: 2:23-cv-01763-APG-EJY

**Order (1) to Show Cause Why This Action  
Should Not Be Dismissed for Lack of  
Subject Matter Jurisdiction and (2)  
Striking Certificate of Interested Parties**

Plaintiff Stability Technology Partners, LLC filed this action in this court based on  
jurisdiction. ECF No. 1. However, Stability does not identify the citizenship of each of  
members. *See Johnson v. Columbia Properties Anchorage, LP*, 437 F.3d 894, 899 (9th Cir.  
(stating that “an LLC is a citizen of every state of which its owners/members are  
s”). Additionally, Stability does not identify Ahern’s principal place of business. 28  
§ 1332(c)(1). I therefore cannot determine whether complete diversity exists. As the  
seeking to invoke this Court’s jurisdiction, Stability bears the burden of establishing that  
action exists. *See Naffe v. Frey*, 789 F.3d 1030, 1040 (9th Cir. 2015). Consequently, I order  
to show cause why this action should not be dismissed for lack of subject matter  
action.

Additionally, I strike Stability's certificate of interested parties (ECF No. 2) because it does not comply with Federal Rule of Civil Procedure 7.1(a)(2). The certificate does not identify Stability's citizenship as required by the amendment to that rule.

22 I THEREFORE ORDER plaintiff Stability Technology Partners, LLC to show cause why  
23 this action should not be dismissed for lack of subject matter jurisdiction. Failure to respond to

1 this order by November 15, 2023 will result in dismissal without prejudice for lack of subject  
2 matter jurisdiction.

3 I FURTHER ORDER that plaintiff Stability Technology Partners, LLC's certificate of  
4 interested parties (ECF No. 2) is STRICKEN for failure to comply with Federal Rule of Civil  
5 Procedure 7.1(a)(2). The plaintiff must file a proper certificate of interested parties by  
6 November 15, 2023.

7 DATED this 1st day of November, 2023.

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10 ANDREW P. GORDON  
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12 UNITED STATES DISTRICT JUDGE  
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